

Guiding Policies: Government, Land Use and Environment

GOVERNMENT

1. Strategic planning. Strategic planning shall be conducted by all governmental entities on an on-going basis to integrate short term priorities, daily activities, and planning for capital investments with Maine's Future Vision.
2. Capital investments. Necessary capital investments shall be planned and made as the state grows rather than deferred to a later time.
3. Policy-making. Policy-making shall be conducted by policy-making entities and not regulatory staff.
4. Decentralized services. Service-providing state agency staff shall be decentralized in regional field offices with coinciding geographic boundaries and locations to be extent practical.

Recommendation

Institute a coordinated mechanism for strategic planning within state government that will keep the state moving toward the Future Vision and allow progress to be measured, in a coordinated, efficient, and focused manner.

Strategic planning for state actions and capital investments can serve as the "itinerary" for reaching our intended destination. Each department, commission, bureau, or agency, the University, legislative committees, and other state entities should be required to develop, make public, report annually to the legislature, and periodically update strategic plans that integrate their short term priorities and daily activities with the state's Future Vision, including capital

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investment needs. The plans should span at least four years and be updated each year.

The Commission further recommends that the State Planning Office, the Legislative Office of Policy & Legal Analysis, and the Administrative Office of the Courts coordinate the strategic planning processes in their respective branches. They would identify conflicts, areas of common concern, and emerging issues in their respective branches; and facilitate flexible interagency/interbranch working groups, as appropriate, to develop coordinate strategies and sort out conflicts in relation to gubernatorial, legislative, and judicial priorities. Coordination will provide a broader perspective than any one entity can give. In addition, the statute of the State Planning Office should be examined to assure that the office has a strong mandate to function as the state's lead agency in conducting and coordinating strategic planning.

Government needs to look farther ahead than it is accustomed, to examine the side effects of proposed policies, to avoid the blind alleys and to see the opportunities. The problems that face Maine government are interconnected but the government's decision-making machinery is not. There is a pressing need for new decision-making machinery – institutions of foresight – to deal with a world and state whose complexity has swamped government's existing decision processes.

Recommendation

Establish an effective information management system in state government.

A legislatively-created study commission should be established and charged with proposing an effective information management system within state government. The commission would be comprised of people from the public and private sector with backgrounds in information management, appropriate cabinet members (i.e., Labor, Community & Economic Development and Human Services) and representatives from major data and information collection agencies such as the Secretary of State's Office, Administrative Offices of the Courts and the State Planning Office and from the Office of Information Services. The Commission would identify what data and information is currently being compiled, who uses it and how, and what data and information is unavailable for critical purposes such as projecting trends, monitoring change, and making well-informed decisions at all levels of government.

The Commission would investigate the impact of an information management system on current management style. The Commission would recommend ways to manage and periodically update the data and information in a readily accessible, integrated, and meaningful format and give special attention to assuring quantifiable measure are available for monitoring change in the state's environment, economy, people and governmental activity. In addition, the Commission would recommend ways to improve and connect existing electronic networks and review and recommend ways to improve the procedures for purchasing computer systems. Other issues to be explored by the Commission would include the need for a cabinet level Chief Information Officer, methods to conduct long-term cost benefit analysis of state initiatives and computerized access links at regional and local governmental offices and

libraries, and office environments of the future.

Recommendation

Convene a legislatively-created commission for the purpose of analyzing the roles of local, regional, county and state government in the state, and proposing changes that will more closely fit the needs of the 21st century.

This endeavor will help assure that government at all levels is more responsive to current and future needs. The commission should assess the current functions of each level of government and identify which are outmoded or ineffectively carried out, and identify ones that should be expanded or reassigned to other levels to meet future needs. Recommendations of the commission should pay particular attention to the fate of county and regional government, mechanisms for facilitating inter-town decision-making, and ways to assure stable funding and accountability.

LAND USE AND ENVIRONMENT

1. Land use and rights

- The State shall manage land use and development on the basis of watershed and ecological boundaries as appropriate; assure the common property interests in natural and cultural resource values are protected and taken into account; and assure that landowners and local governments take responsibility for the long-term perpetuation of natural systems and resources, even if short-term economic gain is diminished in the process.
- The State shall develop policy relating to environmental protection

- and growth management and provide funding and flexible guidelines for its implementation at whatever level of government is most appropriate.
2. Resource protection and environmental sustainability
- Resources shall be protected from degradation by avoiding negative impacts wherever possible. Degradation and mitigation should only be allowed when viable alternative courses of action are not reasonably available and/or public purpose is served.
 - Governments shall purchase products and services that promote the perpetuation of renewable resources and environmental quality in their purchasing procedures, and provide incentives for individuals. Businesses, and others to do likewise.

Recommendation

Convene a high level, legislatively-created commission for the purpose of consolidating and updating existing state environmental policies and creating a comprehensive body of policy that recognizes the cumulative effects of changes to the environment and Maine's quality of life and defines minimum standards for responsible individual, governmental, and corporate activity.

This initiative will move Maine's fragmented environmental laws, which grew out of the need to control single, large scale sources of pollution in the sixties, into a consolidated resource management policy appropriate for today's needs and those of the 21st century. The commission should consider laws administered by both the DEP and LURC, as well as local mandates. The effort should result in a consolidated

statement of policy within the law, in keeping with Maine's Future Vision. The commission's charge should also include unifying environmental policy-making and planning functions within and among state agencies and clearly separating them from regulatory and enforcement functions. Likewise, a recommendation should be made for separate planning and permit review functions at the local level.

The initiative should focus on ways to make environmental policies more explicit, i.e. the extent to which resources should be encroached upon, so that the outcome of permitting will be more predictable. Particular attention should be paid to aligning land use decision-making boundaries with watersheds and ecological systems, and avoiding sources of non-point source pollution, especially of groundwater, vulnerable lakes, and estuarine waters. In addition to environmental concerns, it should address the carrying capacities of such limits to growth as water, waste, and transportation systems, and quality of life issues such as open space, the protection of local and regional visual landscapes, and the social coherence of established neighborhoods, communities, and institutions.

Recommendation

Accelerate funding for the state's growth management program so that all communities who wish to participate have been offered initial funding by January 1, 1992.

An accelerated schedule will allow all parts of organized Maine which are being affected by growth, not just the fastest-paced places, to respond and anticipate further change. The funding formula should likewise be adjusted so that communities which are

experiencing rapid growth symptoms other than population increase, such as commercial or sensitive lakeshore development, are brought into the system earlier. In addition, funding should be provided for intertown initiatives to protect natural resources that are shared among many towns and to facilitate action related to regional and use issues such as transportation planning.

Particular attention should be paid to assuring that the Office of Comprehensive Planning and regional planning agencies are fully staffed to provide the strong leadership, guidance, and technical support required to keep Maine's growth management program from becoming overly bureaucratic and ineffective. The state must assure that state goals, and the Future Vision, are reinforced meaningfully through local action for the funds spent on this program to have been judged worthwhile.

Recommendation

Establish land use degree program(s) for educating land use professionals, and standard curricula and training programs for local officials and those involved in developing the land.

Institutionalizing education and training programs in land use will help assure that Maine nurtures a cadre of informed and up-to-date professionals and local officials involved with development and use of the land. As with the notion of life-long learning, Maine will need to address land use issues in a continuous, thoughtful and creative manner if it is to effectively protect and nurture its special qualities, especially natural, visual and historic resources.

Improved and continuous training at the local level will help ward off the erosion of

local land use decision-making. This initiative should also result in improving the quality of development proposals by assuring that those who are involved in the business of development, (including finances) have a basic and current and visual resources understanding of the functioning, carrying capacity and sustainability of natural and physical systems, as well as the land use regulations involved in land development should be accredited in this area before they are permitted to practice in the state.

Recommendation

Reduce or eliminate critical sources of pollution drift originating in Maine. Seek strong federal and international cooperation and action to curb depletion of the earth's ozone layer and pollution drift.

Reports from the congressional delegation should not only address, in a quantifiable way, sources of pollution that affect Maine and the ozone layer, but those originating in Maine and impacting other states, provinces, or countries. The DEP should draft legislation for banning CFC's and requiring increased energy efficiency, especially in automobiles. As part of this process, the DEP should prepare a quantitative analysis of the number of motor vehicles each region in Maine can accommodate without threatening environmental quality, and if the capacity is presently exceeded, recommend regulations requiring stricter controls for new vehicles or other measures that will curb existing problems or growing threats. In exploring cooperative agreements, the DEP should consider opportunities to develop leverage over states and provinces that do not want to cooperate through such devices as education and publicity campaigns, sales taxes on produces originating in polluting regions, and impact

fees on tourists and property owners who reside in those states and provinces.

Recommendation

Mandate statewide recycling and institute further incentives to reduce the quantity and toxicity, and make better reuse of the waste stream.

Solid waste legislation enacted in 1989 goes a long way toward establishing a responsible solid waste management system for Maine, but critical issues remain. First is the need for a systematic approach that clearly articulates state and local responsibilities much like our transportation system does. Mandating local recycling and reducing and better utilizing the waste stream will significantly reduce the cost of disposal and conserve precious resources. Wasteful consumption habits by Maine consumers should also be discouraged through specific education and pricing mechanisms.

Second, a more concerted effort at reducing the toxicity of waste is essential to assure the long-term public health and a clean environment. The University, the Maine Science & Technology Commission, and state government, in consultation with those who generate toxic wastes, must bring together the knowledge, know-how, and the incentives and regulation necessary to reduce this threat. The Commission recommends beginning the process with a goal of reducing the amount of toxic wastes by 10% by 1994, followed by further increments.

Recommendation

A long-term strategy for the acquisition of lands for outdoor recreation and land preservation should be developed, and state acquisition efforts should be consolidated

into a single program with a steady source of funding.

Since Maine ranks close to the bottom among states in its percentage of public land, an on-going, concerted effort will help Maine assure that there will be sufficient land to protect Maine's natural heritage and tradition of outdoor use. The Commission recommends that the Land for Maine's Future Board become the umbrella organization for interlocking acquisition programs targeted toward lands with state significance, agricultural preservation, wildlife habitat, and a revolving fund to support local and regional initiatives. A portion of state revenues should be set aside annually for this purpose. The Commission recommends at least \$10 million a year with a staffing level to match the level of effort needed.

Recommendation

Expand and develop as a comprehensive strategy the Department of Conservation's program to foster communications and positive relations between landowners and those who use private lands for recreation.

This initiative should result in a two-pronged approach to fostering better relations. It should make those who use private lands better acquainted with responsible "etiquette" for the use of private property. It should also make landowners feel more confident that their lands will be used appropriately. The end result, hopefully, will be more landowners willing to accommodate public use of their property. The Department has many current activities aimed at accomplishing these objectives, but should develop and give high priority to a more integrated, and long range strategy, in conjunction with other agencies as appropriate. High priority should be given

in the strategy to seeking out opportunities where incentives and agreements concerning public use can be achieved. The strategy should include a funding component for staff improvements, public education and other items that can be negotiated to attain public use agreements.

development and implementation of the strategy.

Recommendation

Initiate a public education program, using televised public service announcements and other state-of-the-art techniques, to acquaint the public with facts about how Maine's people, landscape, and economy are changing and what the implications of these changes are.

Using state-of-the-art techniques to raise public consciousness will get to the root of the communications inconsistency between what Maine people value and what they are willing to do to protect and maintain what they value. Maine has demonstrated time after time that if the public understands the nature of a problem and how they are connected to the solution, they will take the steps necessary to address the issue effectively.

A comprehensive effort will be more efficient and avoid overlap and gaps. It could be modeled on the DEP's current strategy to acquaint the public with the facts about the sensitivity and planning requirements of lakes. The DEP strategy includes a television campaign, curriculum enhancement in schools, information for libraries and other organizations which reach great numbers of people, and training programs and educational handbooks for local officials, developers, and other land planning professionals. In addition to state agencies and non-profit organizations, the University and the USDA Cooperative Extension Service should be included in the

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